

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

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STATE OF TEXAS, *et al.*,

Plaintiffs,

v.

XAVIER BECERRA, in his official capacity )  
as Secretary of the United States Department )  
of Health and Human Services, *et al.*, )

Defendants. )

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Civil Action No. 5:21-CV-00300-H

Judge James Wesley Hendrix

**DEFENDANTS' RESPONSE IN OPPOSITION TO PLAINTIFFS' MOTION  
FOR SUMMARY JUDGMENT**

Defendants file this Response in Opposition to Plaintiffs' Motion for Summary Judgment (ECF No. 54). The Court should deny Plaintiffs' motion for the reasons set forth in the accompanying brief.

Dated: May 4, 2022

Respectfully submitted,

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Principal Deputy Assistant Attorney General

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/s/ Madeline M. McMahon

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**Certificate of Service**

On May 4, 2022, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Madeline M. McMahon